

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:15-CV-01046
)	
Plaintiff,)	
)	JUDGE SOLOMON OLIVER, JR.
vs.)	
CITY OF CLEVELAND)	<u>NOTICE REGARDING EXTENSION OF</u>
)	<u>DEADLINES IN THE REVISED THIRD-</u>
)	<u>YEAR MONITORING PLAN</u>
Defendant.)	
)	
)	

Pursuant to the Revised Third-Year Monitoring Plan (the “Third-Year Plan,” attached hereto as Exhibit A) in the above-captioned matter, the City of Cleveland (the “City”) and Department of Justice (collectively, “the Parties”), as well as the Monitoring Team, have agreed to extend various deadlines for a number of milestones relating to the Cleveland Division of Police’s (“CDP”) implementation of the Consent Decree. The Monitoring Team and Parties respectfully request that the Court approve the extension of the milestones.

Consistent with the terms of the Third-Year Plan, the Parties and Monitoring Team are currently developing a Fourth-Year Monitoring Plan that will identify new milestones and revise outstanding deadlines for continued implementation of the Consent Decree. Still, the Team and

Parties are mindful of the Court’s ongoing stewardship of the Consent Decree’s active implementation and wish to update the Court on the status of a host of milestones.

The Parties and Monitoring have agreed to set a deadline of **December 31, 2018** for the following items, which are outstanding in the Third-Year Monitoring Plan:

- CDP’s revision of the District Policing Committee Strategy, incorporating feedback, where appropriate, provided by the Monitoring Team, Community Police Commission (“CPC”), and Parties (Exhibit A, line 12);
- CDP’s revision of the Community and Problem-Oriented Policing Plan, incorporating feedback, where appropriate, provided by the Monitoring Team, Community Police Commission, and Parties (19);
- The Monitoring Team’s approval or disapproval of the CDP’s Supervisory Investigations Policy (24);
- The Monitoring Team’s approval or disapproval of the Force Investigation Team manual (27);
- The Monitoring Team’s approval or disapproval of the Force Review Board policy (30);
- Numbers and percentages of the officers who have completed in-service training on CPR, firearm requalification, and use of force during 2018 (37);
- Numbers and percentages of the officers who have completed in-service training on Community Engagement and Problem-Solving, Crisis Intervention Training, and Bias-Free Policing during 2018 (49);
- Final Supervisor Training Plan developed by CDP, incorporating feedback where appropriate (55);

- Completion of training of all CDP officers on the Learning Management System (61);
- The Monitoring Team’s approval or disapproval of the Internal Affairs (“IA”) Policy Manual (87); and
- The Monitoring Team’s approval or disapproval of the Public Complaints of Misconduct and Retaliation policies (96).

A number of deadlines (and subsequent items as delineated in the Third-Year Plan) are unlikely to be addressed in the current monitoring period and will consequently be addressed in the Fourth-Year Monitoring Plan. The most critical of those milestones include:

- A draft 2019 In-Service Training Plan to be developed collaboratively by CDP, the Parties, and the Monitoring Team (Exhibit A, line 34);
- The Monitoring Team’s approval or disapproval of the Recruitment Plan (66);
- The Monitoring Team’s analysis of the OPS budget (91);
- The Monitoring Team’s approval or disapproval of the Staffing Plan (128);
- CDP’s revision of Search and Seizure policies, incorporating feedback from the Parties and the Community Police Commission, as appropriate (135).
- The Monitoring Team’s approval or disapproval of the District Policing Committee Strategy (13);
- The Monitoring Team’s approval or disapproval of the Community and Problem-Oriented Policing Plan (20);
- Training of appropriate personnel on the Force Review Board policy (31);
- Beginning of regular FRB meetings (33);

- The Monitoring Team’s approval or disapproval of the Final Supervisor Training Plan (56);
- The Monitoring Team’s approval or disapproval of the Final Draft of the Crisis Intervention Specialized Training (72);
- The Monitoring Team’s approval or disapproval of the Final Draft of the Second Year Crisis Intervention Training for Dispatchers and their Supervisors (79);
- Implementation of new IA policies upon the Monitoring Team’s approval of the IA Policy Manual (88);
- Implementation of the Office of Public Safety’s (“OPS”) Awareness Plan (97-100);
- Hiring of a Police Inspector General (113); and
- The Monitoring Team’s approval or disapproval of the Search and Seizure Policies (136).

Additionally, the Monitoring Team’s Sixth Semiannual Report will be filed with the Court by February 26, 2019, with a draft due to the Parties by January 25. The City’s seventh status report will be filed with the Court by March 29, 2019.

Respectfully submitted,

/s/ Matthew Barge

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CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2018, I served the foregoing document entitled Notice Regarding Extension of Deadlines in the Revised Third-Year Monitoring Plan via the court's ECF system to all counsel of record.

/s/ Matthew Barge
MATTHEW BARGE